P-32

Forest. F. 28 (91-2)

Sls 1–9

Indexed

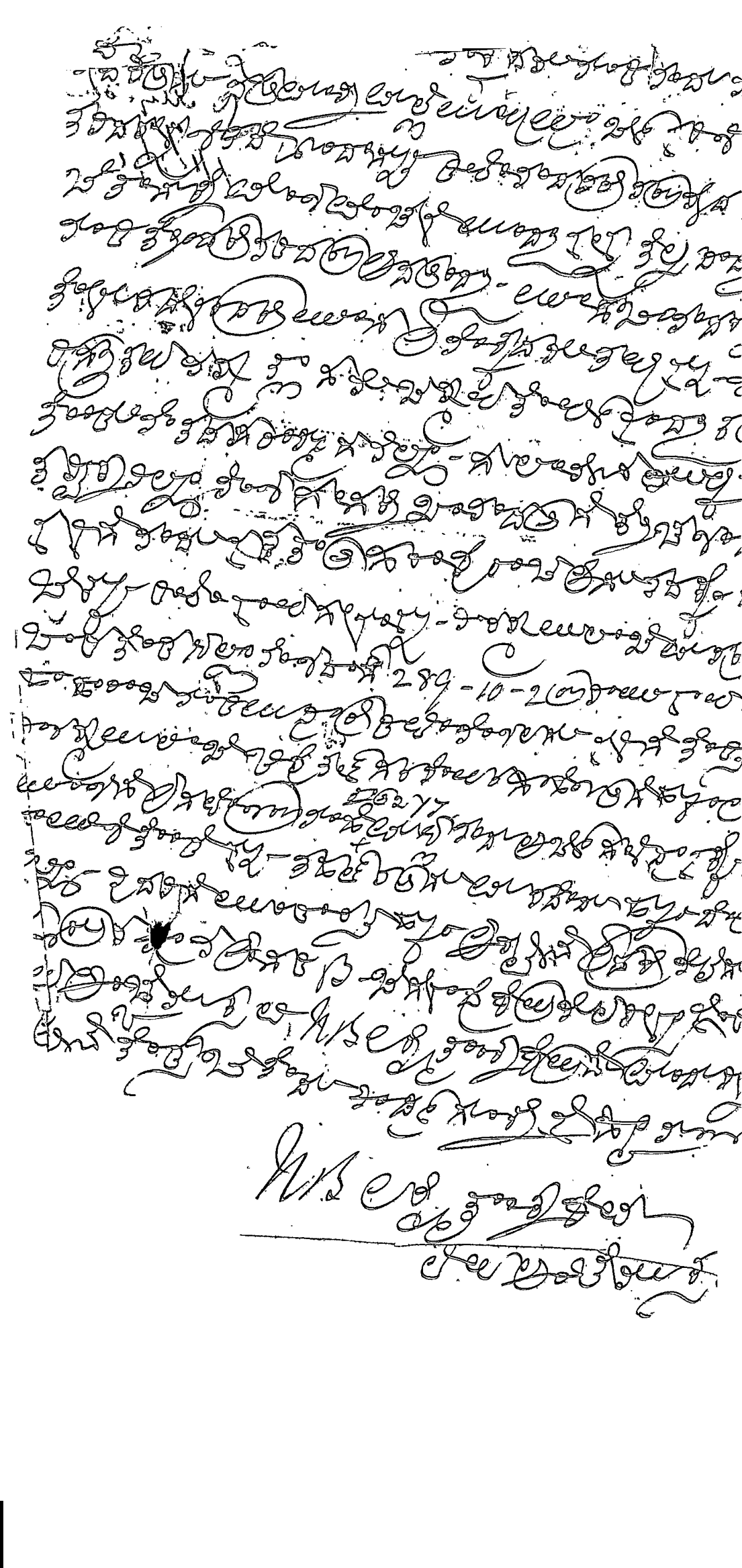
S. B. Thammanna

Petition dated 20th May 1892 from Lakshmi Kantha Setty, Late anche Muttaddy of Sorab.

MYSORE DEW
TITION D
EG'D. No
DATE

MYSORE DEWAN'S OFFICE.
PETITION DEPARTMENT.
CAMP
REG'D. No. 771
DATE 7/12/91

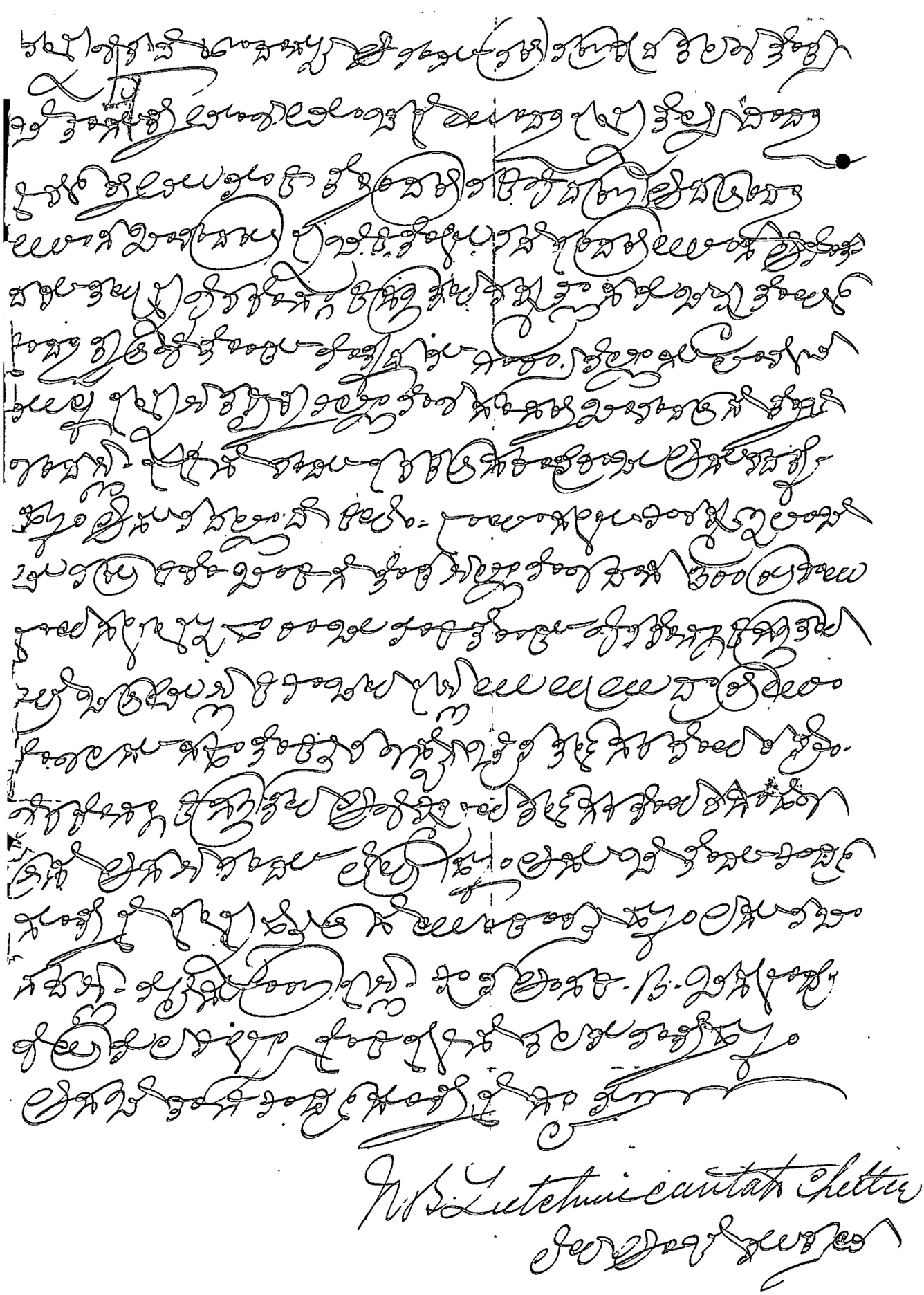
MYSORE DEWAN'S OFFICE.
PETITION DEPARTMENT.
REG'D. No. 2305
DATE 18-12-91



MYSORE DEWAN'S OFFICE.
PETITION DEPARTMENT.
REG'D. No. 2631 R.
DATE 7-1-92

MYSORE DEWAN'S OFFICE.
PETITION DEPARTMENT.
CAMP Mysore
REG'D. No. 1061
DATE 7/12/91

SECTION



Vide orders on list of Petns /

Endt. Regarding the claim for refund of Rs 300/ held in deposits in the Shemoga Dt. Treasury, Petr. must apply to the Dy. Commr.

5/12 Mysr. Dy. Secy. 1/1/92

5 (2)

No. 2305

SECTION ~~F~~ Endorsement

FILE NO. 98-(91-2)

SERIAL NO. 3

Issued 9/1/92

In reply to his petition dated 14 November 1891, Lakshmikantha Shetti, late Amche Muttsaddi of Sorab now residing in Mysore is informed that he should apply to the Inspector General of Forests in the first instance.

By order

Dec/91

17/12

Chief Secy

mkr

No. 2631 b 2)

Statement

FILE NO. 28 (31-2)

SERIAL NO. 4

In reply to his petition
Camp Reg'd No. 6061 dated
26th Nov 1891 N. B.
Lukshmikanta Chetty
late Amche Mutsaddi
of Gorab is informed
that he must in the first instance
apply to
the Deputy Commis-
sioner for the appointment
~~which regard to~~
which is sought
~~this appointment~~
as well as for his
~~and also of the~~ claim
for the refund of Rs 300/-
which is said to be
held in deposit in the
Shimoga Dist Treasury

From the J. Gl. of Forests No 532 S/39 dated
Dismd. 26/1/92

By Order

Sd/ 1/1/92

Re
No 11847 dated 26/1/92
P. 54

Under Secretary

Typed by JE Shimoga
1/1/92

Issued to the
Applicant
Claim Dis.

REVENUE-FORESTS.

(General Serial No. 31)

1892.

OFFICE OF THE DEWAN OF MYSORE
2169
21 MAY 92
P.D 38

Submitted to the Chief Secretary.

25/5/92

Will be requested to report what steps have been taken to realise the sale proceeds of the 2 teak logs claimed by Lakshmi Kantashetty who first bought the logs at the depot & failed to remove them within 30 days.

From

The Inspector General of Forests and Plantations in Mysore.

To

The Chief Secretary to the Government of Mysore.

Dated 20th May 1892
Despatched
Received

Enclosures No. 1

General No. 532
R. F. No. 39 } 1892—93.

With reference to Chief Secretary's no 11849 P. 54 dated 12th January 1892, to the address of the Deputy Commissioner Shimoga, has the honor to forward for information, copy of this office Memorandum no 359/38, dated 30th ultimo, regarding the claim of Lakshmi Kantha shetty for 17 teak logs and 2 teak poles bought by him at Kerehalli Depot in 1886.

Inspector General of Forests.

B1
23-5-92

Blk Peon Deptt Mrs
21/3/92

No 359/38

Memorandum by the Inspector General of Forests and Plantations in Mysore.

Dated Bangalore 30th April 1892
1-5-92

Read:—

Docket No 1171, dated 12th March 1892 from the District Forest Officer, Shimoga, submitted through the Deputy Commissioner forwarding the correspondence connected with the claim of Lakshmi Kantha shetty and reporting on the same.

On the 8th April 1886, Lakshmi Kantha shetty brought 17 teak logs and 2 teak poles measuring 288 c.ft. — 1312 c.m. for Rs. 289-10-2 at Kerekalli (temporary) Depôt. — It is stated that he paid the purchase money in full, but failed to remove the logs although he obtained the usual passports on the 22nd May 1886. — In August 1886, Nirani Patel Giriappa and Manjappa of Sorab Taluk applied for permission to remove the said logs as the purchasers thereof for Rs 300/ under a registered deed of sale from Lakshmi Kantha shetty, producing the passports and Treasury receipts granted to the latter and stating that the registered deed

deed of sale was filed in a case of theft of currency notes against Lakshmikantha shetty. — The Amildar of Sorab was then enquired as to whether a deed of sale was executed and registered as alleged by Giriappa and Ellanjappa and a reply was received in the affirmative (vide Amildar's yadi no 514, dated 30th September 1886). The logs in question would have been permitted to be removed by the purchasers Ellanjappa and Giriappa, but for the theft-case against Lakshmikantha shetty in which it was alleged that the price of the logs was paid out of the currency notes stolen by him. — The above case resulted in Lakshmikantha shetty's conviction and sentence for 6 months rigorous imprisonment and a fine of Rs 100/. — The logs were not caused to be produced before the Court and the Magistrate passed no order about them. — While Lakshmikantha shetty was undergoing the sentence in Shimoga jail, the Assistant Conservator enquired of the Jail Superintendent on the 12th July 1887, what that man would say as to delivering the logs in question to Nirani Giriappa and Ellanjappa. — In reply the Jail Superintendent

Superintendent forwarded Lakshmi Kantha Shetty's statement to the effect that Giriappa and Manjappa were not entitled to the logs purchased by him and that the said logs should be made over to his heir one Govindashetty, gumasta of Bellary Lakshmana Modaliar.— Again on the 11th August 1887, Lakshmikantha Shetty petitioned through the Jail Superintendent that his logs should be given over to Forester Seshagiri Rao's possession if his heir Govindashetty had not removed the same.— It thus became a matter of dispute between Lakshmi Kantha Shetty and the alleged subsequent purchasers Giriappa and Manjappa.— Neither Govindashetty nor Lakshmikantha Shetty after his release from the Jail appeared and demanded delivery, nor did the purchasers establish their claim in a Civil Court for the logs in question.— A notice was therefore published on the 27th February 1889, calling upon Lakshmikantha Shetty or other claimants to remove the logs within 30 days on payment of depot rent, and that in default the logs would be sold for the arrears of such rent which amounted

amounted to Rs 323/- None of the claimants having appeared, the logs were sold on 26th July 1889, for Rs 189-8-0 and the amount was credited to Government.- Under the circumstances, the application of Lakshmikantha shetty. after a further period of nearly 2 years 9 months for the refund of the price he paid for the logs in question, cannot now be entertained and his claim is therefore rejected.- An endorsement to the above effect will be granted to Lakshmikantha shetty.—

Sd/ L. Ricketts
Inspector General of Forests

Copy forwarded to the Deputy Commissioner, Shimoga, with reference to his docket no 1171, dated 12th March last, returning the file of vernacular papers received therewith.—

Sd/ L. Ricketts
Inspector General of Forests

(Copy)

L Ricketts.
Inspector General of Forests.—

BLR

(General Serial No. 30.)

12 (8)

1892.

SECTION F. From

P. S. No. 28 1891-92

SERIAL No. 6991

The Chief Secretary to the Dewan of Mysore

To

The Inspector General of Forests and Plantations in Mysore

Dated

Despatched

Received 9th June

Enclosures No.

General No. 4397 R.

P. No. 5

5605 R.6 1403 dy 109

Memo No. 532/39 dated 20th May last

Submitting for information copy of his Office memo No. 359/38 dated 30th April last regarding the claim of Lakshmi Kantha Chetty, late Amildar Mulabagal for 17 teak logs and 2 teak poles bought by him at Kerehalli Depôt in 1886.

With reference to the above he has the honor to request that the Inspector General of Forests will report what objection there is for the sum of Rs 189-8- realised by the sale of the so called unclaimed logs being paid over to Lakshmikanta Chetty

first brought the Corps
at the Depôt and failed
to remove them

By order

Draft
(de temp order)

Chief Secretary

(General Serial No. 30.)

OFFICE OF THE DEWAN OF MYSORE
1892. 1198.
2 - AUG. 92
R. No. 46

SECTION ... From The Inspector General of Forests & Superintendent of Plantations in Mysore

SERIAL No. 7 ... To The Chief Secretary to the Dewan of Mysore.

Dated 30 July 1892
Despatched
Received 1 Aug 1892

Enclosures No. 1

General No. 1109
No.

In reply to his No 4997 & 9th June 92

SUBJECT.

Submitted. On 8th April 86 Petr. Lakshmi Kantaselly purchased wood of the value of Rs. 289. 10. 2, and paid the price - He did not remove the wood. It was accordingly sold by public auction on 26th July 1889 for Rs 189. 8. 0 - Under the Rules of 30th August 1887, wood-yard rent to the extent of Rs 323/. became due, and the sale proceeds - viz Rs 189. 8 - 0 - were applied towards the rent -

Lakshmi Kantaselly applies for the refund of the price of Rs 289. 10. 2, paid for the wood which was not removed by him -

The Insp. Genl of Forests states that Petr is not entitled to any refund; but that, as an act of grace, the wood-yard rent may be calculated at 12 per Cent annum on the value of the wood instead of at 8 Annas per log per month. At the proposed rate, the rent amounts to Rs 114. 9. 7, and the amount which has to be refunded to Petr, to Rs 74-14-5.

This may be sanctioned.

Return 169 & 3 ... 23/8/92

Rec'd 3/8

Reports that the depôt rent for the logs bought by Lakshmi Kantha Setty not having been fully recovered from the sale proceeds there is nothing to be refunded to Lakshmi Kantha Sette or his Claimants, but that as an act of grace the depôt rent may be charged at 12 per cent per annum on the value of logs instead of 8 annas per log per month, as laid down in the sale rules and the balance refunded to Lakshmi Kantha Sette or his claimants

References (to be entered only in the Dewan's Office).

Draft Submitted

29/8/92

Rec'd 2/9

Rec'd 6/8.

(L 26 · 7) (11) 15

No. 1403
109

OFFICE OF THE INSPECTOR GENERAL OF FORESTS AND PLANTATIONS IN MYSORE,

Dated Bangalore 30th July 1892

Enclosures. /

From

The Inspector General of Forests,

To *Mysore.*

The Chief Secretary to the Government of Mysore

SIR,

With reference to your dockets noted on the margin enquiring whether there is any objection to make over to Lakshmi Kanthasetty the Sum of Rs 189-8-a realized by the Sale of unclaimed logs, I have the honor to State that I have fully dealt with the subject in the Memorandum already submitted and that the Depôt rent itself, which amounted to Rs 323/ not having been fully recovered from the Sale proceeds there is nothing to be refunded to Lakshmi Kanthasetty or any other person claiming under him. These logs were left in the Depôt for more than 3 years after the prescribed period of 90 days from the date of Sale and for which rent was charged at 8 annas per log per mensem from the date of Sale as laid down in para 7 of the auction Sale

Rs 43917 dated 9th June 1892
" 5604 dated 29th do
" 1296 dated 22nd July 1892
150
54

Sale Rules published under Government Notification No 99. dated the 30th. August 1887. Considering the amount of risk and care on the part of the Forest department in regard to these logs which were left unremoved for years together, I do not feel justified in recommending any remission save perhaps as an act of grace to the extent that instead of 8 annas per log per mensem, 12 per cent per annum on the value paid by Lakshmi Kantha setty for the logs in April 1886 and which amounts only to Rs 114-9-7 be charged in accordance with the Modification of Sale Rules, I am suggesting in a separate letter, and the balance may be ordered to be paid either to Lakshmi Kantha setty or his claimants.

I beg at the same time to bring to notice the great delay on the part of Lakshmi Kantha Setty in asking for the refund.

The petition received to day from Lakshmi Kantha setty is enclosed

I have the honor to be,
Sir,
Your Most obedient Servant.

L Ricketts
Inspector General of Forests

68

Exh C 15 Sl. 2 1736

Notification

GOVERNMENT OF MADRAS

No. 99 dated the 30th August 1887.

The following Revised Rules for the sale of timber and bamboos by public auction are published for General information

* * *

5. The whole quantity purchased by each purchaser must be paid for within 30 days from the date of sale; failing which the deposit money already paid in shall be forfeited to Government & Moneys due may be paid into the Treasury of the Taluk in which the woodyard is situated, or into the District Treasury but into no other, except in cases where the merchants are permitted to pay into any other Government Treasury

& and the timber or bamboos not paid for shall be resold.

+ Notification No 180 of 8/87 (90)

* * *

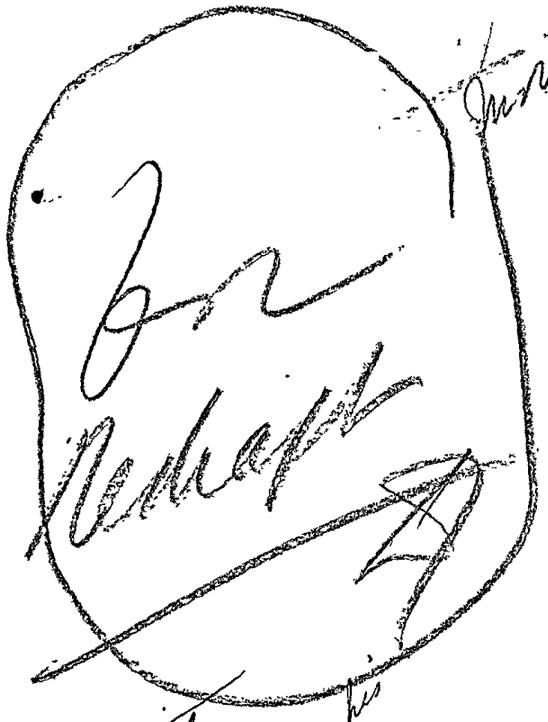
7. Timber and bamboos paid for under the preceding sections may be removed at any time within 30 days from date of sale or within such further period (not exceeding 90 days

from date of sale) as may be fixed by the Forest Officer, as the circumstances of each case may require without payment of wood-yard rent; but if left in the wood-yard longer than that period from date of sale, shall be charged with wood-yard rent at 8 annas per log or 20 bamboos, per mensem, from date of sale. Should the space occupied by such wood be required for the storing of new wood, the Forest Officer shall be at liberty, after giving the purchaser ten days notice, to take the wood ~~out~~ out of the wood-yard, and deposit it without the walls at the expense and risk of the purchaser

×

copy

/ Spare printed copies are not available in the Records. /



Read.

Petition dated 20th May 1892 from Lukshmikantha Letty, late Amche Mutsuddy of Sorab.

Letters dated 20th May and 30th July 1892. nos 532/39 and 1403/109, from the Supr.t General of Forests and Plantations in Mysore

Order thereon

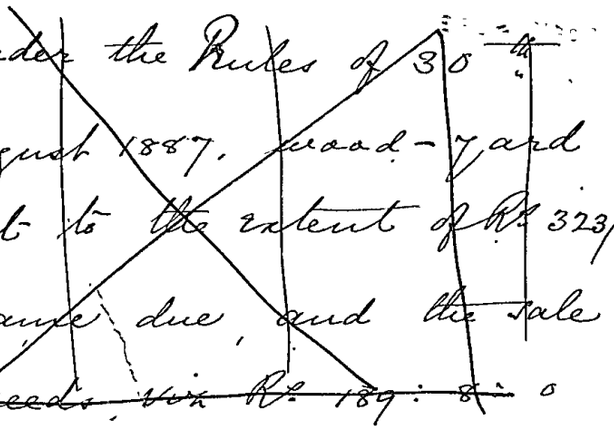
On the 8th April 1886

Petitioner Lukshmi Kantha from the Kerehulli Depôt took logs & pole, Letty purchased ~~wood~~ of the value of Rs. 289.10.2 and paid the price, ~~but did not~~ to remove the wood. It was accordingly sold by public auction on the 26th July 1889 for Rs 189-8-0

Re draft submitted 7/9

Upon the wood being claimed on his behalf it remained undelivered as it remained out that he had paid for it only certain of the logs which had been stolen by him - Upon which such as remained while enquiries were being made and ~~compensation~~ exchanged & in the said time wood

And took out passports for removal of the wood & the wood & the purchasers thereof claimed it on a dead wall - But the wood remained undelivered in consequence of certain enquiries with the Forest Dept. Officials instituted



Under the Rules of 30th August 1887, wood-yard rent to the extent of Rs. 323/ became due, and the sale proceeds, viz Rs. 189 : 8 : 0 were applied towards the wood yard rent Rs 323 due under the Rules of 30th Augt 1887

2. Lakshmikantha Setty applies for the refund of the price of Rs. 289 : 10 : 2 by him for the wood which was not removed by him.

3. The Inspector General of Forests states that the Petitioner is not entitled to any refund, but that as an act of grace, the wood-yard rent may be calculated at 12 per cent per annum on the value of the wood instead of 8 as per log per month. At

this ~~proposed~~ rate, the
rent due amounts to
Rs. 114:9:7. ~~and~~ and the
balance ~~amount~~ which has to
be refunded to Petitioner
amount therefore ~~to~~ to Rs. 74-14-5
which ~~amount the Govt~~
are pleased ~~to~~ is hereby
~~to be refunded to the~~
Petitioner as a special
case.

By 74-14-5-4
That the Dy Ch
Forests recommend
the refunded.

On a ~~careful~~
consideration of the
Circs explained
in the Dy Conservr
& 3rd/4th the Govt are
of opinion that the
Govt ~~money~~ ought have
been returned when
claimed & that as
Rupees 5886 and
that ~~it was unnecessary~~
for the Govt Debt to
wasted time in ~~calling~~
for the ~~the~~ in obtaining
replacement enquiries
The sale proceeds of
the wood viz Rs 89-8-6
will be kept in deposit
till the case is decided
& the amount
of Rs 74-14-5 be
refunded & a report
of the entire case paid
to Govt.

By

Chief Secretary

To

The Conservator of
Forests & Planters

To The Controller
Mysore Govt

Read,

Petition dated 20th May 1892 from Lakshmikantha Setty, late Amildar Mutsuddy of Sorab.

Letters dated 20th May and 30th July 1892. Nos $\frac{532}{39}$ and $\frac{1403}{109}$ from the Inspector General of Forests and Plantations in Mysore)

Order thereon

On the 8th April 1886 Petitioner Lakshmikantha Setty purchased from the Kerehalli Depôt, teak logs and poles of the value of Rs. 289: 10: 2, and paid the price and took out pass-ports for removal of the wood. ~~Plaintiff~~ ~~the wood~~ ~~through~~ ~~discovered on his behalf~~ ~~by~~ persons who

Read Mem for
Mr Thurston Chelgood
approval.

2. I do not see any provision in the rules for selling the wood for non payment of rent, & so for the sale is illegal. — But the charge of rent is legal & if the owner claim the wood under the whole rent is paid. If he offers the whole rent, we will return to pay the value of the wood at the ~~rates~~ selling rates, but he does not do so.

Certain

1 But he did not remove the wood.

2 17

remained undelivered as it turned out that he had paid for it out of certain currency notes said to have been stolen by him. Wood-yard rent accrued while enquiries were being made and correspondence exchanged and in the end, the wood was sold by public auction ~~on the 26th July 1889~~ for Rs. 189:8:0 which were applied towards the wood-yard rent of Rs. 323 ~~was~~ charged under the Rules of 30th August 1887.

2. Lakshmi Kantha Letty applies for the refund of the price of Rs. 289:10:2 paid by him for the wood not removed by him.

3. The Inspector General

23 +8

Draft

Read,

Petition No. 745 of
20th May 1892 from
Lakshmi Kantha Shetti,
late Amche Mutsuddi
of Sorab and subsequent
correspondence ending
with letter No. 1403/109 of
30th July 1892 from the
Inspector General of
Forests & Plantations
reporting on the peti-
tioner's claim for the
sale proceeds of the wood
which he purchased
from the Kerchalli
(Temporary) Depot
and which was
subsequently sold
by public auction
in satisfaction of Govt. claim for
~~for~~ Depot rent

Order.

On

No 9256-7 Dt. 21/12/92
R. 7136-92 23

-was not clear to them as the was some confusion that Wood had been purchased from sodan money & allowed

charges &

of Forests states that the Petitioner is not entitled to any refund, but that as an act of grace, the wood-yard rent may be calculated at 12 per cent per annum on the value of the wood instead of at 8 as per log per month. At this rate the rent due amounts to Rs. 114:9:7 and the balance of Rs. 74:14:5 is what the Inspector Genl of Forests would recommend to be refunded.

4. Rs. Govt do not consider that Lakshmanachetty, is under those circumstances entitled to ~~the refund~~ claimed, & the application to the refund of the wood dues is accordingly rejected. ——

4.. On a consideration of the circumstances explained in the Insp^r. Genera's Memorandum dated 30th April 1892, the Government are of opinion

10/9/92.

that the wood ought to have been delivered when claimed so early as August 1886, and that the Forest Departt wasted time in instituting irrelevant inquiries. The sale proceeds of the wood viz Rs. 189:8:0 would be paid to Lakshmikantha Setty — Under the circumstances he is not entitled to a refund of the entire price paid by him

Chief Secretary

To The Insp^r Genl of Forests and Plantations in Mysore
The Comptroller, Mysore for[illegible]

(General Serial No. 30.)

1892.

From

The Chief Secretary to the Dewan of Mysore.

To

The Asst. Genl of Forests & Comptr to the Govt of Mysore

Dated 21st Decr/92

Despatched

Received

Enclosures No.

General No. 9256-7

No. R.7.136-92

Sanctioning the refund of Rs. 74-14-5 to one Lakshamikantha Chetty on account of leak loss of poles which he purchased from the Kerehalli depot but left them in the depot unremoved for a long time &c.,—

28 +8

Draft

Read,

Petition No. 745 of 20th May 1892 from Lakshmi Kantha Shetti, late Amche Mutsuddi of Sorab and subsequent correspondence ending with letter No. 1403/109 of 30th July 1892 from the Inspector General of Forests & Plantations reporting on the petitioner's claim for the sale proceeds of the wood which he purchased from the Kerchalli (Temporary) Depot and which was subsequently sold by public auction in satisfaction of Govt. claim for Depot rent

No 9256-7 dt. 21/12/92
R. 7136-92 22

Order.

Ans.

29

On the 8th of April 1886, petitioner Lakshmi-Kantha Shetty purchased from the Kerehalli Dept teak logs and poles for Rs 289-10-2. which he paid, and obtain-ed passports for re-moval of the wood. But the wood though claimed on his behalf remained undelivered as it turned out that he had paid for it out of currency notes said to have been stolen by him. Wood yard to the Extent of Rs 323/2 cent accrued while enquiry was instituted and the petitioner was con-victed, and sentenced

20 20

for six months rigor
imprisonment &c
fine of Rs 100. As the
wood was not claim
by Lakshmi Kanth
Chetty even after
release, a notice
issued on 27th Feb
1889 calling upon
Lakshmi Kantha the
or other claimants
to remove the logs with
30 days on payment
of depot rent, & that
default the logs would
sold for arrears of
As no of the claim
-ant appeared, the
were sold on 26th M
1889 for Rs 189-8-0.
the amount was
Credited to Govt

Lakshmi Kant
Chetty now after th
years applied for
th

the refund of the price of Rs 2 89-10-2 paid by him for the wood ^and removed by him.

The woodyard rent not having been fully recovered, Petitioner is not entitled to any refund, but as an act of grace, the woodyard rent will, as recommended by the Inspr Genl, be calculated at 12 P.C. per annum on the value of the wood instead of at 8 as per log per month. At this rate, the rent due amounts to Rs 114-9-7. and the balance of the sale-proceeds viz Rs 74-14-5 will be refunded ~~by as~~ to Lakshmikanta Setty as recommended by the Inspector Genl of Forests

(Rs. 189-8-0 minus Rs 114-9-7)

Draft
Chief Secy

To The Insp Genl of Forests & Planters in Mysore.
" The Comptroller to Mysore Govt

(General Serial No. 30.)

1892

From

The Chief Secretary to the Dewan of Mysore.

To

The Insptr. Genl of Forests & a Comptr to the Govt of Mysore

Dated 21st Decr/92

Despatched

Received

Enclosures No.

General No. 9256-7

No. R.7.136-92

Sanctioning the refund of Rs. 74-14-5 to one Lakshamikantha Chetty on account of teak logs & poles which he purchased from the Kerehalli depot but left them in the depot unremoved for a long time &c.,—

20-1-93

No. 745

(13)

MYSORE DEWAN'S OFFICE,
PETITION DEPARTMENT,
20 January 1893.

Endorsement granted to ~~Lakshmi Kantha Chetty~~, late Amildar of Sorab, residing in Bwarampet, Mysore, in reply to his Petition Registered No. 745 dated 20th May 1892

28 (8-2)

SER. No. 9.

Petitioner is informed that the woodyard rent not having been fully recovered, he is not entitled to any refund. But as an act of grace, the woodyard rent will, as recommended by the Insp. Genl. of Forests, be calculated at 12 per cent per annum on the value of the wood, instead of at 8 annas per log per month. At this rate the rent due amounts to Rs. 114 Rs 9 — 7, and the balance of the sale proceeds, viz, Rs 74 — 14 — 5 will be refunded to him as recommended by the Insp. Genl. of Forests.

"By Order,"

Draft.

Chief Secretary.

Mysore Govt. Central Press, Bangalore.—5-7-92—1000.

20-1-93

No. 745

(13)

MYSORE DEWAN'S OFFICE,
PETITION DEPARTMENT,
20 January 1893.

Endorsement granted to ~~Lakshmi Gowda Chetty~~, late Amildar of Sorab residing in Shivaramper, Mysore, in reply to his Petition Registered No. 745 dated ~~28~~ 20 May 1892

~~28 (1-2)~~

SER : No. 9

Petitioner is informed that the wood yard rent not having been fully recovered, he is not entitled to any refund. But as an act of grace, the wood yard rent will, as recommended by the Insp. Genl. of Forests, be calculated at 12 per cent per annum on the value of the wood, instead of at 8 annas per log per month. At this rate the rent due amounts to Rs. 114 ~~Rs~~ 9 7, and the balance of the sale proceeds, viz, ~~Rs~~ 74 14 5 will be refunded to him as recommended by the Insp. Genl. of Forests.

"By Order,"

Draft.

Chief Secretary.

Mysore Govt. Central Press, Bangalore.—5-7-92—1000.